

REMARKS

Claims 1-21, and 23-24 are pending. Claim 1, 12, 14, and 23 are amended. The basis for the amendments to claims 1, 14, and 23 can be found, for example, at page 9, lines 8-30 and page 8, lines 10 to 16, and page 24, lines 21-28. The basis for the amendment to claim 12 can be found, for example, at page 7, lines 1-3. Claims 22 and 25-27 are canceled and, thus, all rejections with regard to these claims are rendered moot.

Claims 1-27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because the basis of the molecular weight is alleged to be unclear. While not necessarily agreeing with the rejection, claims 1, 14, and 23 are amended to recite number average molecular weight. This designation and a method for determining same is found at page 9, lines 8-30 of the filed application. In view of this amendment, the rejection is believed to be moot.

Claim 12 is rejected under 35 U.S.C. § 112, second paragraph as allegedly being unclear in regard to the claim referred to polymeric or monomeric. The rejection is believed moot in view of the amendment to claim 12.

Claims 1-26 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 00/05290 ("the Bolte application"). The standard for anticipation under §102 is one of strict identity. The cited art, however, does not disclose any process of the instant claims. The instantly claimed process reacts an isocyanate that is at least 95% by weight of 2,4-MDI (containing less than 5% by weight of symmetrical diisocyanate impurity) with a diol in a process where the ratio of isocyanate groups to hydroxyl groups is 1.05:1 to 2.0:1. This reaction, as noted in the preamble of claim 1, produces a product having *free isocyanate groups*.

The Bolte application (page 8, line 26 to page 9, line 30, for example) teaches a process that utilizes an at least *two stage process where different isocyanates are reacted* in each stage. The first stage of the process of the Bolte application, unlike the instantly claimed process, produces a product with *free hydroxyl groups* (page 9, lines 19-22). Then, in at least one more step, different isocyanate(s) are reacted to produce a product having free isocyanate groups. Thus, the process taught by the Bolte application is significantly different

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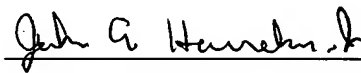
than the claimed process that reacts a particular isocyanate with a diol. For at least this reason, Applicants respectfully request reconsideration and withdrawal of the rejection.

Claims 1-27 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of the Bolte application in view of U.S. Patent No. 5,721,311 ("the Oien application"). As discussed above, the processes of the Bolte application and the instant claims have significant differences. The Oien application does not cure these defects. Thus, even if one were motivated to combine the cited art, no instant invention would be arrived at. For at least this reason, Applicants ask for reconsideration and withdrawal of the rejection.

The foregoing is believed to constitute a complete and full response to the Office Action of record. Applicants submit that this application is now in condition for allowance. Accordingly, an early Notice of Allowance is requested.

Respectfully submitted,

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